

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION

AGIS SOFTWARE DEVELOPMENT LLC,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.  
AND SAMSUNG ELECTRONICS  
AMERICA, INC.,

Defendants.

Case No. 2:22-cv-00263-JRG

**JURY TRIAL DEMANDED**

**DECLARATION OF VINCENT J. RUBINO, III IN SUPPORT OF  
PLAINTIFF AGIS SOFTWARE DEVELOPMENT LLC'S  
OPPOSED MOTION FOR LEAVE TO REQUEST  
SUPPLEMENTAL CLAIM CONSTRUCTION**

I, Vincent J. Rubino, III, hereby declare as follows:

1. I have personal knowledge of the facts set forth in this declaration. I am competent to testify as to all matters stated, and I am not under any legal disability which would in any way preclude me from testifying.

2. I am a Partner at the law firm of Fabricant LLP and counsel of record for Plaintiff AGIS Software Development LLC, in this matter.

3. The exhibits attached to this declaration may contain annotations and/or excerpts of the originals. Plaintiff stands ready to make complete versions of these exhibits available upon request.

4. Attached hereto as Exhibit A is a true and correct copy of a Joint Stipulation and Order Regarding Deadlines for Supplemental *Markman* Proceedings \*\*As Modified by the Court\*\* in *AGIS Software Development LLC v. Google LLC*, Case No. 5:22-cv-04826-BLF (Lead

Case); *AGIS Software Development LLC v. Waze Mobile Ltd.*, (Consolidated Case), dated November 23, 2023.

5. Attached hereto as Exhibit B is a true and correct copy of Defendants' Patent L.R. 4-2 Disclosure of Preliminary Claim Constructions and Evidence in *AGIS Software Development LLC v. Google LLC*, Case No. 5:22-cv-04826-BLF (Lead Case); *AGIS Software Development LLC v. Waze Mobile Ltd.*, (Consolidated Case), dated December 15, 2023.

6. Attached hereto as Exhibit C is a true and correct copy of Plaintiff's Supplemental Preliminary Claim Constructions and Extrinsic Evidence Under Local Patent Rule 4-2 in *AGIS Software Development LLC v. Google LLC*, Case No. 5:22-cv-04826-BLF, served December 15, 2023.

7. Attached hereto as Exhibit D is a true and correct copy of an email from Mark Liang to AGIS Counsel dated December 6, 2023.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on December 19, 2023 in Short Hills, New Jersey.

/s/ Vincent J. Rubino, III  
Vincent J. Rubino, III